

Attorney Docket No. 60095-0029

REMARKS/ARGUMENTS

I. STATUS OF CLAIMS

Claims 1-13, 15-28, and 30 remain in this application. Claims 14 and 19 have been canceled. Claims 1-13, 15-28, and 30 have been amended. Claim 1-30 remain rejected in the Office Action by the Examiner.

II. CLAIM OBJECTIONS

The Office Action objects to Claims 1 and 16 because of informalities. Applicant has amended Claims 1 and 16 to correct the informalities. Applicant respectfully requests the objection be withdrawn.

III. CLAIM REJECTIONS – 35 U.S.C. § 112

The Office Action rejects Claims 1, 3, 4, 7, 8, 13, 22, 23 and 28 under 35 U.S.C. § 112, second paragraph, as being indefinite to particularly point out and distinctly claims the subject matter which applicants regard as the invention.

Applicant has amended said Claims to address the Office Action's concerns. Therefore, Claims 1, 3, 4, 7, 8, 13, 22, 23 and 28 particularly point out and distinctly claim the subject matter which applicants regard as the invention. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

IV. CLAIM REJECTIONS – 35 U.S.C. § 101

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The Office Action rejects Claims 1-15 under 35 U.S.C. § 101. Claims 1-15 have been amended and no longer contain a single requesting step. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §101.

V. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejects Claims 1-4, 7, 9, 13, 16-19, 22, 23 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Zisapel-Radware in view of Hasett-PointCast and “Official Notice”. The rejection is respectfully traversed.

Claims 1 and 16 have been amended to clarify the invention and appear as follows:

1. A process for routing packets through a load balancing array of servers across a network in a computer environment, comprising the steps of:

requesting, by a scheduler, assignment of a virtual IP address to the scheduler, the scheduler is designated as active scheduler for a load balancing array;

wherein all incoming packets from requesting clients destined for the load balancing array are routed through the scheduler via the virtual IP address;

in response to receiving a request packet from a requesting client at the scheduler, routing and load balancing the request packet to a load balancing server;

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in response to receiving the request packet at the load balancing server, routing and load balancing the request packet to a back end Web server;

wherein the back end Web server's response packet to the request packet is sent to the load balancing server;

in response to receiving the response packet at the load balancing server, sending the response packet directly to the requesting client;

parsing outgoing HTML pages to determine select content to be served by a content delivery network; and

modifying URLs for the select content in an HTML page in a response packet in order to serve the select content from the content delivery network.

16. An apparatus for routing packets through a load balancing array of servers across a network in a computer environment, comprising:

a scheduler, the scheduler requests assignment of a virtual IP address to scheduler, the scheduler is designated as active scheduler for a load balancing array of servers;

wherein all incoming packets from requesting clients destined for the load balancing array are routed through the scheduler via the virtual IP address;

wherein the scheduler routes and load balances a request packet from a requesting client to a load balancing server;

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wherein the load balancing server routes and load balances the request packet to a back end Web server;

wherein the back end Web server's response packet to the request packet is sent to the load balancing server;

wherein the load balancing server sends the response packet directly to the requesting client;

a module for parsing outgoing HTML pages to determine select content to be served by a content delivery network; and

a module for modifying URLs for the select content in an HTML page in a response packet in order to serve the select content from the content delivery network.

Applicant has added elements of Claims 14 and 29 into Claims 1 and 16 to clarify the claimed invention. Therefore, the Office Action's comment with regard to Claims 14 and 29 will be addressed. The Office Action points to Masters in col. 5, lines 14-61, col. 3, lines 21-50 as teaching modifying URLs in the HTML page in a packet to serve them from a content delivery network. However, this is incorrect. Masters teaches inclusion of a SET_COOKIE in the header of an HTTP response (col. 7, line 17-col. 8, line 60) which is different than what is cited in Claims 1 and 16. The modification of URLs in an HTML page is different than the inclusion of a SET_COOKIE command in the header of an HTTP response.

Further, Masters does not teach or disclose a system that parses outgoing HTML pages to determine select content to be served by a content delivery network and modifies URLs for the select content in an HTML page in a response packet in order to serve the

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select content from the content delivery network as cited in Claims 1 and 16. Masters does not contemplate such a system.

Therefore, Zisapel in view of Hassett-PointCast and "Official Notice" and Masters does not teach or disclose the invention as claimed.

Claims 1 and 16 are in allowable condition. Claims 2-4, 7, 9, 13, and 17-19, 22, 23, 28 are dependent upon independent Claims 1 and 16, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

VI. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejects Claims 5, 6, 14, 15, 20, 21, 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Zisapel-Radware and Hassett-PointCast in view of Masters (USPN 6,374,300).

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments regarding Claims 1 and 16, above. Claims 5, 6, 14, 15, and 20, 21, 29, 30, are dependent upon independent Claims 1 and 16, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

VII. CLAIM REJECTIONS – 35 U.S.C. § 103

The Office Action rejects Claims 9-12 and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Zisapel-Radware and Hassett-PointCast and "Official Notice" in view of Masters (USPN 6,374,300).

The rejection under 35 U.S.C. §103(a) is deemed moot in view of Applicant's comments regarding Claims 1 and 16, above. However, Applicant respectfully requests a

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showing of the "Official Notice" taken that both the concept and advantages of the client keeping connection alive with server is well known and expected in the art.

Claims 9-12 and 24-27 are dependent upon independent Claims 1 and 16, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

VIII. MISCELLANEOUS

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Applicants believe that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate. Entry of the amendments herein and further examination on the merits are respectfully requested.

The Examiner is invited to telephone the undersigned at (408) 414-1080 ext. 214 to discuss any issue that may advance prosecution.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

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If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

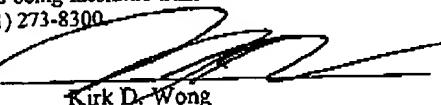
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